

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 5TH MARCH 2007 / 14TH PHALGUNA 1928

OP.No. 2091 of 2003(Y)

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PETITIONER:

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IDUKKI KANJIKUZHI GRAMA PANCHAYATH,  
IDUKKI, REPRESENTED BY ITS SECRETARY

BY ADV. SRI.J.JULIAN XAVIER  
SRI.RAJESH THOMAS

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY ITS  
SECRETARY, LOCAL ADMINISTRATION DEPARTMENT,  
GOVT. OF KERALA, THIRUVANANTHAPURAM
2. DISTRICT COLLECTOR, IDUKKI.
3. DIVISIONAL FOREST OFFICER, MUNNAR,  
DEVIKULAM, IDUKKI.
4. FOREST RANGE OFFICER,  
NERIAMANGALAM.

BY ADV. SMT.R.BINDU, GOVERNMENT PLEADER

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD  
ON 05/03/2007, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

O.P.No. 2091/2003

ORDER ON CMP 3791/2003 IN O.P.No. 2091/2003.

DISMISSED.

05/03/2007.

SD/- (C.N.RAMACHANDRAN NAIR, JUDGE)

**APPENDIX**

PETITIONER'S EXHIBITS

EXT.P1 COPY OF THE SKETCH SHOWING THE 3 KADAVUS FALLING WITHIN THE PETITIONER PACHAYAT.

EXT.P2 COPY OF THE GOVT. ORDER DATED 29/5/2002 DETAILING THE NAMES OF THE MEMBERS OF THE DISTRICT EXPERT COMMITTEE, IDUKKI.

EXT.P3 COPY OF THE PROCEEDINGS DATED 21/10/2002 ISSUED BY THE PETITIONER.

EXT.P4 COPY OF THE PROCEEDINGS DATED 02/11/2002 ISSUED by the 4TH RESPONDENT TO THE PETITIONER.

EXT.P5 COPY OF THE EXPLANATION DATED 11/11/2002 FILED BY THE PETITIONER BEFORE THE 4TH RESPONDENT.

EXT.P6 COPY OF THE REPRESENTATION FILED BY THE PRESIDENT OF PETITIONER PANCHAYAT BEFORE THE 2ND RESPONDENT.

EXT.P7 COPY OF THE JUDGMENT DATED 10/12/2002 IN O.P.No. 36606/2002.

EXT.P8 COPY OF THE ORDER DATED 1/1/2003 ISSUED BY THE 2ND RESPONDENT.

// TRUE COPY //

PA TO JUDGE

jg

**C.N.RAMACHANDRAN NAIR, J.**

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**O.P. No. 2091 of 2003**  
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**Dated, this the 5<sup>th</sup> day of March, 2007**

**J U D G M E N T**

The only prayer is to enforce the District Collector's order produced as Ext.P8, where under he has requested the Divisional Forest Officer to instruct his subordinate authorities not to interfere with transport of river sand, permitted to be removed by the Revenue Authorities in co-ordination with local authority, namely the Panchayat. I do not think any forest pass is required for transport of sand through forest areas, since if sand transport is covered by valid pass issued by Revenue Authorities and the Panchayat. This original petition is disposed of directing the District Collector to enforce his order.

**(C.N.RAMACHANDRAN NAIR, JUDGE.)**